

EXHIBIT 4

Schapira, Lisa

From: Schmitt, Marshall J (35828) [mjschmitt@michaelbest.com]
Sent: Tuesday, August 14, 2012 4:41 PM
To: Tanck, Paul
Cc: De Bruin, David L; Nyenhuis, Christopher E (12765); Stocco, Chantelle W (12523); Patti, Jodi K (15419); Espinoza, Gilberto E (35802); Balber, Scott; Schapira, Lisa; Abrahams, Emily
Subject: RE: Rockwell v. Wago

Paul,

As you know we had an agreement to double track the Rybacki and 30(b)(6) depositions on August 20. As we explained to you, we are willing to move the Rybacki deposition to the last week of discovery only if you agree to produce the unredacted spreadsheet that reflects the data that was before Rockwell when it prepared DX 42. Otherwise, we need to take the deposition as noticed. The 30(b)(6) depositions also are likely to raise issues that might need to be brought to the attention of the Court before the end of discovery. As a result, we renew our proposal that you produce the unredacted spreadsheet and we proceed with the Rybacki deposition on the morning of August 30 in Milwaukee. If not, we will plan on proceeding with the depositions as noticed and previously agreed unless you obtain a protective order from the Court.

As to the expert depositions, conducting the expert depositions on consecutive days in two different cities is unreasonable. We propose that the Vigil deposition proceed as noticed on August 28 in Washington, D.C. and that the Bero deposition proceed on August 31 in Waukesha.

We look forward to hearing from you.

Marshall

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